THE 20 PRINCIPLES *of* GUIDANCE

UNDERSTANDING *SHIRK, BIDʿAH, ʿIBĀDAH & TAWHĪD*

An abridgement in English of
Muftī Naqī ʿAlī Khān's Usūl al-Rashād

Translation & Annotations by
Shaykh Monawwar Ateeq

Al Ihya Foundation Publication

بسم الله الرحمن الرحيم

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ABOUT THE AUTHOR

Muftī Naqī 'Alī Khān (d.1880CE) was a renowned 19th century *sunni* jurist and gnostic from Bareilly in India. He was the father and most important teacher of the *Mujaddid* of the *Ahl al-Sunnah*, Imām Ahmad Razā Khān (d.1921CE) and was the erudite son of a great gnostic and illustrious jurist, Muftī Ridā 'Alī Khān (d.1870CE).

He took the spiritual path from Sayyid Al-e-Rasool Marehrawī who was a student of Shah Abdul Aziz Dihlawī and had *ijāzah* in *hadīth* from senior Arab *'ulamā'* including Sayyid Ahmad Zaynī Dahlān, the grand jurisconsult of Makkah al-Mukarramah.

He was a polymath who mastered over twenty sciences including *Hanafi* jurisprudence, Qur'ānic sciences and exegesis, *hadīth*, the principles of *hadīth*, *sīrah*, biographies, *kalām* theology, inheritance, grammar, polemics, mathematics, history, Persian and Arabic poetry

and literature and *tasawwuf*.

He left behind twenty-four invaluable literary works, the most famous of which are his detailed *tafsīr* of *surah al-Sharh*, *Idhāqat al-Āthām* which is a masterpiece on the *mawlid* and *Usūl al-Rashād*.

He passed away in 1880CE at the age of 51 and rests in Bareilly, India.

ABOUT THE TRANSLATOR

Shaykh Monawwar Ateeq is a British born teacher of the Islamic Sciences, author and orator hailing from a scholarly lineage.

He began his studies at a young age with scholars in Birmingham and later resided and studied in Damascus between 2002-2004. In 2013, he completed his specialisation in *Fatwā* and *Hanafī fiqh* from Jami'ah al-Na'īmīyah, Karachi and is currently a Doctorate Researcher at the University of Birmingham. Alongside research, he teaches the traditional *dars-e-nizami 'ālim* programme in Birmingham.

He holds numerous licences in the Islamic sciences and *tasawwuf* from major scholars of the Arab world and Indo-Pak subcontintent with some of the shortest chains of transmission back to the Noble Prophet ﷺ.

INTRODUCTION

All praise is to Allāh Almighty - the One worthy of worship alone, independent in His attributes and necessarily existent. Infinite peace and blessings be upon the best of creation, the master of Messengers, Muhammad, and upon his Household and Companions.

To proceed:

By the grace of Allāh Almighty, I discovered a matchless treatise that enlightens the understanding of numerous matters concerning Sunni doctrine and its methodology and protects one from the darkness of confusion, namely, *Usūl al-Rashād li-Qam' Mabānī al-Fasād* [Principles of Guidance to Uproot the Foundations of Corruption] by one of the most learned senior scholars of his time in the principles and branches of this wonderful religion, Muftī Naqī 'Alī Khān (may Allāh Almighty sanctify his secret) - the father and teacher of one of Islam's greatest revivers, A'lā Hazrat Imām Ahmad Razā Khān.

The original work was written in classical Urdu, Persian and Arabic

and published approximately 137 years ago in 1881 in India and was republished in 2009 in Karachi. The purpose of the original text was to present an unadulterated and refined study of terms and rules of Islamic Law that were often misconstrued, misquoted and displaced in controversial narratives by anti-*madhhabi* authors. The original Urdu text draws upon a wealth of Qur'ān, *ahādith* and statements of the *salaf* and righteous scholars and jurists to examine correct applications of rules and meanings to Islamic terms including *shirk*, *tawhīd*, *bid'ah* and worship.

I taught this text to my year two *'Ālim* course students in 2014 and made a resolute intention at that time to abridge and annotate it in the English language for the benefit of students, teachers and the public at large which Allāh Almighty enabled me to do in a short period of time in 2015. I pray that it will be accepted in His court and it guides sincere seekers of knowledge. I encourage those able to read Urdu to use this abridgement as a guide to study the original text, though difficult due to its old style of Urdu polemics, alongside the author's *Idhāqat al-Āthām* to see his extensive use of these principles to prove the desirability of the *mawlid*. I cannot express how important this work is and urge teachers to make it a part of their syllabus at *madrasahs*. I am indebted to Shaykh Aslam Razā from Abu Dhabi for providing me the unpublished Arabic abridgement to allow me to review my abridgement and to the al-Ihyā Foundation team for assisting in making this work available to the readers.

Disclaimer: By no means does this short abridgement do true justice to the original masterpiece of fine scholarship nor does it gather all its

discussions, especially those demanding advanced understanding; for example, the discussion on innovation in the original Urdu is lengthier and enriched with more references. Lastly, where there is error, it is solely my own.

Shaykh Monawwar Ateeq

FIRST PRINCIPLE

It is mandatory for all terms of Islamic Law to be understood with reference to their literal meanings *(ma'nā haqīqī)* wherever possible.

A valid evidence must exist to move to a metaphorical meaning of a word. This rule applies to all technical terms that have a true legal meaning, such as, *salāh, zakāh, sawm* and *hajj*. Sadr al-Sharī'ah al-Mahbūbī and Muhibbullāh al-Bihārī expressed this rule in *al-Tawdīh* (1:195) and *Musallam al-Thubūt* (p.126), respectively.

There is consensus (*ijmā'*) of the scholars of principles (*usūl*) and rhetoric (*balāghah*) on this principle and as long as following the literal meaning is not impossible, the *mujtahid Imāms* do not assign metaphoric meanings to words.

Some people give self-manufactured meanings to certain words like *Ilāh*, worship (*'ibādah*), polytheism (*shirk*) and innovation (*bid'ah*) causing immense discord within the *ummah*. One must understand these terms

with reference to their correct unadulterated legal meanings and be wary of fallacious interpretations.[1]

1.1 First Term: *"Ilāh"*

In Islamic Law the term *"Ilāh"* means "One worthy of worship" (*mustahiqq li'l-'ibādah*) and "One whose existence is necessary" (*wājib al-wujūd*).[2] In *al-Tafsīr al-Kabīr* (3:8; 5:96), Imām Fakhr al-Dīn al-Rāzī clarifies that *Ilāh* does not mean "One who is worshipped" (*ma'būd*) as Allāh Almighty was *Ilāh* pre-eternally before He created creation to worship Him.[3]

The author of *Taqwiyat al-Īmān*[4] incorrectly conflates the words "ruler" (*hākim*) and "owner" (*mālik*) with *Ilāh* despite them validly applying to other than Allāh Almighty.[5] His erroneous definition entails *shirk* in the belief of Muslims who may refer to someone other than Allāh Almighty as a ruler or owner.

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1 I encourage readers to refer to Muftī Ahmad Yār Khān Na'eemi's *Islām ki Chār Usūlī Istilāhayn* [The Four Principle Terms in Islam] on this subject in Urdu too.

2 Believing in the true meaning of *Ilāh* means one must believe in:

(a) the entity itself,

(b) every necessary (*lāzim*) attribute for it i.e. of perfection, and

(c) negate every attribute that contradicts the necessary attributes i.e. of imperfection.

Thus, anyone who denies the necessary attributes of *Ilāh* or ascribes defects to it, is like the one who denies the Divine entity of *Ilāh* (Fatāwā Razawiyyah, 15:530).

In answer to opponents who claim the idolaters of Quraysh believed in *tawhīd al-rubūbiyyah*, our argument is that *tawhīd al-ulūhiyyah* is necessary for and inseparable from *tawhīd al-rubūbiyyah* and therefore to claim one believes in the latter entails belief in the former. Since the idolaters of Quraysh negated *ulūhiyyah* it is incorrect to assert that they believed in the true *Rabb*, rather it was a *rabb* that they had forged in their own minds.

3 If this was true, all idols would validly be referred to as *ilāh* in the true meaning whereas this is false.

4 Ismail Dehlawī (d.1821CE) who was the father of Wahhābi thought in India.

5 One may refer to the ruler of a country as a "ruler" and this does not negate *tawhīd*.

1.1.1 Words that do not Entail Shirk

There are three types[6] of words used in relation to Allāh Almighty:

1. Words that can lawfully be used for both Allāh Almighty and His creatures, such as "one who hears", "one who sees", "one who knows" and "one who has power" with meanings that befit them respectively.

   The words "owner" and "ruler", fall under this category as they do not necessitate the meaning of *Ilāh* and have not been transmitted as doing so in the Law nor from any of the reliable sources.[7]

2. Words that can only be used for Allāh Almighty and thus forbidden for creatures though their usage does not necessitate disbelief.[8]

   Terms such as "*'Azza wa Jalla*", "*Rahmān*" and "*'Ālim al-Ghayb*", unconditionally cannot be used for other than Allāh Almighty, including for the Noble Prophet ﷺ although he ﷺ was granted knowledge of the unseen (*'ilm al-ghayb*) that was mighty and great.[9]

6 The third type is an addition by comparison to the other types.

7 When words of this type are used for Allāh Almighty, a meaning that is befitting Him exclusively is intended, namely, "the One Who is independently knowing and able and the true ruler and owner". See Imām Ahmad Razā's *Subḥān al-Subbūḥ* (*Fatāwā*, vol. 15) for a detailed discussion on the relativity of terms in Islamic Law. See the latter's epsitle *Fiqh Shehenshah* (*Fatawa*, vol.23) on the permissibility of referring to the Prophet ﷺ as Shehenshah "Sultan of sultans/Great Sultan".

8 See Imām Ahmad Razā's *al-Fuyūdāt al-Malakiyyah* for the discussion on words whose meanings are true in relation to creatures, but application is forbidden.

9 Imām Ahmad Razā forbade using the term *'Ālim al-Ghayb* for the Noble Prophet ﷺ in his *Fatāwā* (29:404) and *al-Amnu wa al-Ula* (p.187).

3. Words besides the above types are those exclusively used for Allāh Almighty and using them for creatures is explicit *kufr*; such as, *Ilāh*, *mustahiqq li'l-'ibādah* (worthy of worship) and *wājib al-wujūd* (necessarily existent).[10]

The opponent's fallacy is that he erroneously assumes that every word used for Allāh Almighty is exclusive to Him and declares anyone who uses such a word for creatures a *mushrik*, without considering the above-mentioned categories of words. Using any of the words from types 1 and 2 above would only constitute disbelief if one believes that the creature is worthy of worship, necessarily existent, an independent and true owner or ruler or an independent knower possessing unattained knowledge, as such meanings are only true regarding Allāh Almighty.

1.1.2 Every Prostration to Creation is not Shirk

Likewise, prostration (*sajdah*) to something other[11] than Allāh Almighty is forbidden (*harām*) in the Law revealed to our Messenger ﷺ; unless one believes the object he/she prostrates to is worthy of worship, necessarily existent or is qualified with any attribute necessitated by these two[12] in which case the *sajdah* would constitute disbelief.

The reason for this is that the prostration of reverence (*sajdah al-tahiyyah*) was permitted in previous Revealed Laws, whereas *shirk* is rationally

10 Similarly, if someone refers to creatures as pre-eternal *azalī/qadīm* (Imām Ahmad Razā, *Fatāwā*, 27:131) as such words are necessary attributes of the Creator alone.

11 Prostrating to an idol is *kufr* in every instance and regardless of the intention.

12 Such as independence, as in being an independent provider of sustenance (*razzāq haqīqī*) and independent provider of life, true cause of harm and benefit and independently subsistent/existent (*qayyūm/mawjūd bi al-dhāt*).

ugly (*qabīh*) and thus not permitted at any time.[13]

1.2 Second Term: "'*Ibādah*"

In Islamic Law the term "'*Ibādah*" means "immense reverence" and "total humility" which cannot be established by actions alone.[14]

One may stand with his hands folded in front of another person or circulate someone with the intention of mockery. His action here, does not entail immense reverence despite outwardly, in the instance of folding hands, this being akin to the standing in prayer. Similarly, the act of abstinence of a person from food and drink from dusk to dawn is not an act of reverence per se, let alone an act of immense reverence. The pivotal point that differentiates an act of worship from an act which is not, is one's intention and belief that his/her action is of the highest degree of reverence and is in total humility for the one the act is perpetrated for. Total humility and reverence can only come with the belief that the entity one respects is necessarily existent, the Creator and the absolute provider of sustenance.[15]

Imām Fakhr al-Dīn al-Rāzī explains in his *tafsīr* (5:96) that Allāh Almighty presents His attribute "Creator of all things" (Qur'ān, 6:102)

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13 A partner to Allāh Almighty is rationally impossible (*muhāl 'aqlī*) in light of rational proofs and is the greatest rational impossibility (Imām Ahmad Razā, *Hayāt al-Mawāt*). See Imām Ahmad Razā's *al-Zubdah al-Zakiyyah* on the prohibition of prostrating towards graves and revered objects. To call this Imām a worshipper of graves (*qubūrī*) is sheer ignorance of his writings.

14 A similar word is *du'ā* which means *'ibādah* and also means to call. Verses referring to the idolaters making *du'ā* to their idols is in the first meaning not the second as the *tafsīr* literature testifies. Hence calling someone besides Allāh Almighty for help is not *shirk* as this is a separate meaning to *'ibādah*, and the verses referring to the idolaters thus do not apply to this. See Muftī Ahmad Yār Khān Na'eemi's *'Ilm al-Qur'ān* for a careful examination of these verses.

15 i.e. Divine in Essence and Attributes.

as the reason why creatures are required to worship Him. Hence, if this is not the reason for respecting someone or something, this act of reverence cannot constitute *shirk*. To declare reverence of creatures lacking this belief, as worship of other than Allāh, is a fallacy.

1.2.1 Actions that are not *Shirk*

Standing (*wuqūf*) in a place[16] and circumambulation (*tawāf*) are not decisively and unconditionally acts of worshipping other than Allāh Almighty and do not negate *tawhīd* unless carried out with the corrupt belief that the object or place is either a Creator or an independent cause of benefit or necessarily existent.[17]

1.2.2 Certain Actions are always *Shirk*

Islamic Law has declared only certain acts as disbelief because they are decisive and explicit indicators - according to established scholarly consensus - that the perpetrator disbelieves inwardly, such as prostrating to an idol [or its image] and wearing a *zunnār* (a strap tied around the waist by non-Muslim civilians in Muslim territories in the past).[18]

Here the act represents disbelief within the heart due to legal evidence; mere speculation is not enough to make judgments of *shirk* and disbelief on acts.[19]

16 Standing in *'Arafah* on the 9th of Dhul Hijjah is worship but no sane mind will declare standing in their garden shirk due to the outward similarity.

17 *Tawāf* of the graves of pious people is forbidden and kissing them is disagreed upon and better to avoid (*Fatāwā Razawiyyah*, 9:120-1).

18 Like this, is blasphemy of any of the Noble Prophets and throwing the Holy Qur'ān in filth (Imām Ahmad Razā, *Fatāwā*, 2:163). See principle 6 on imitation.

19 For any act to fall under this category, there must be explicit evidence from the Qur'ān, *Sunnah*

1.3 Third Term: "*Shirk*"

In Islamic Law the term "*Shirk*" means "ascribing partners (to Allāh) in divinity (*ulūhiyyah*)". In *Sharh al-'Aqā'id al-Nasafiyyah* (p.137), Imām al-Taftāzānī advocates that this is established by believing something other than Allāh Almighty is "worthy of worship" as the *Qurayshī* idolaters believed, or "necessarily existent" as the Magians upheld.

Shirk is the antonym of *tawhīd* and anything that constitutes *shirk* necessarily negates *tawhīd* i.e. oneness of essence and all necessary qualities (such as absolute independence, pre-eternity etc.). Adding any further conditions to the definition of *shirk* is therefore a fallacy.

Sometimes the word *shirk* is used metaphorically for sinful acts such as ostentation.[20] In this instance the use of the word *shirk* does not denote disbelief as this is not the true legal meaning of the term. The meaning of the word, when used in the metaphorical sense (*ma'nā majazī*), is outside the scope of this discussion.

Some people have belittled the attributes of Allāh Almighty so much that in their minds the smallest degree of respect (for other than Allāh) establishes Divinity and thus have declared *shirk* upon people recklessly. For example, they declared that knowing the exact number of leaves on a tree is exclusive to Allāh Almighty; whereas, despite the vastness of the number of leaves on trees, they are in fact finite, and can be counted according to the accepted rule that it is possible for humans to

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and *Ijmā'*. Additionally, there cannot be disagreement of the reliable jurists regarding it (*Fatāwā al-Subkī*).

20 This is also true of the word *kufr* which may mean transgression (*fisq*) or ungratefulness towards Allāh's blessings.

enumerate anything limited in number. Ascribing such knowledge to a creature is not *shirk* since Allāh's attribute of knowledge is essentially greater.[21] These people have not understood the Sublime qualities of Allāh Almighty and His Majesty.[22]

The knowledge and power of Allāh Almighty is such, that if we assume that a creature has all the power and knowledge of the entire world and is aware of every matter from the centre of the earth to the Throne, his knowledge and power do not equate to the knowledge and power of Allāh Almighty, in fact, there is not an iota of similarity between the two; not even comparable to that of a water drop to an ocean, since Allāh's attributes are personal, unattained, independent, pre-eternal and everlasting.[23]

However, if someone declares the knowledge of a single matter for a creature, even if it be of one leaf from a tree, as being personal, pre-eternal or with the belief that he is worthy of worship, he/she has indeed committed *shirk*.

1.4 Fourth Term: "*Bid'ah*"

In Islamic Law the term *"Bid'ah"* has two meanings and is therefore a polyseme[24] (*mushtarak lafdhī*):

First Meaning: "Something the Noble Prophet ﷺ did not do and

21 Such that it is unattained, uncreated and beyond parameters of time and numbers.

22 Rather they are involved in a type of disbelief for likening Allāh Almighty to His creation by declaring *shirk* in attributes that befit creatures and not the Creator.

23 In *al-Dawlah al-Makkiyyah*, Imām Ahmad Razā makes these distinctions between Allāh Almighty's knowledge and His creation with detailed discussion.

24 A word or phrase with multiple meanings.

did not permit" or, in other words, "Something that did not exist in the Prophet's ﷺ era".

In this meaning, an innovation is divided into five types: *harām, makrūh, mubāh, mandūb* and *wājib*[25] or into two broad types, 'praiseworthy and blameworthy', as advocated by al-Nawawī in *Sharh Sahīh Muslim* (6:154), *al-Qastalānī in al-Mawāhib al-Ludunniyyah* (10:496) and *Irshād al-Sārī* (4:656) and al-'Aynī in *'Umdat al-Qārī* (8:254).

There is consensus of the *Ahl al-Sunnah* that not every *bid'ah* in this meaning is evil and blameworthy.[26] In light of this, the actions of the Companions and opinions of the *mujtahid Imāms* are not blameworthy. Furthermore, the acts of the righteous Caliphs are good innovations and their *Sunnah*.

Second Meaning: "Something that opposes and clashes with the *Sunnah*". In this meaning, every *bid'ah* is evil and blameworthy.

In *al-Mirqāt* (1:366), Mullā 'Alī al-Qārī explained, "...innovating something that does not contradict the Holy Qur'ān and *Sunnah* is not blameworthy". In *Ihyā' al-'Ulūm* (2:331), Imām al-Ghazālī asserts, "... the forbidden innovation is that which clashes with a prescribed *Sunnah*". Al-Nawawī, al-Bayhaqī and Ibn al-Hajar have all cited Imām al-Shāfi'ī

25 New matters shall be analysed considering the higher purposes of the Law. If an innovation "preserves people's religion" (*hifz al-dīn*) it is *wājib*. For example, the science of *nahw* is a *wājib* innovation as it protects people from making mistakes in reciting the Holy Qur'an and understating it, and *taqlīd* of a single *mujtahid* is also *wājib* to prevent people from becoming confused in understanding and implementing laws due to the large number of outwardly contradictory proof-texts. Such *wājib* acts are called *wājib li-ghayrih* (extrinsically obligatory) due to the lack of a direct explicit command in the primary texts.

26 Note that this is not the linguistic definition of *bid'ah* as the opponents claim and thus the five types belong to the legal meaning of innovation (*Usūl al-Rashād*, p.61). The fact that the five types are named by the legal rulings is a clear sign that they belong to *bid'ah* in the legal meaning not the literal which means "anything new".

ﷺ saying "...innovative matters are of two types; one type is that which opposes the Divine Book, or *Sunnah*, or reports of the Companions (*āthār*) or scholarly consensus and this is the misguided innovation; and the second type is a good innovation without disagreement and this is not blameworthy" (al-Haythamī, *al-Fath al-Mubīn*, p.107).

Several *'ulamā'* have declared there to be agreement on this division including Muhammad al-Sālihī in *Subul al-Hudā* (1:365) and al-Haythamī (ibid).

Some scholars have also expressed this (second) definition in the following words, "something that does not have an established basis (*asl*) in Law" and some have added to this, "and is regarded a part of the religion" including Ibn Hajar al-Asqalānī in *Fath al-Bārī* (13:288), Badr al-'Aynī in *'Umdat al-Qārī* (16:504), Ibn Nujaym in *al-Bahr al-Rā'iq* (1:611) and al-Laqānī in *Hidāyat al-Murīd Sharh Jawharat al-Tawhīd.* [27]

The word "basis" (*asl*) has various juristic usages and (a) narrowly refers to Qur'ān, *Sunnah*, scholarly consensus, juristic analogy (*qiyās*); and (b) more broadly to general principles and interests of the religion. Hence, we must be mindful that sometimes when scholars say regarding an act "it has no basis", they mean it in the first meaning yet they still declare the act permissible like al-Nawawi (*al-Adhkar*, p.435) who said this regarding shaking hands after morning and asr prayer. And sometimes

27 Thus, we also come to understand two core meanings for the term *Sunnah*:

(1) Narrowest meaning: Something he ﷺ himself did and permitted or something that existed in the Prophet's ﷺ era which he ﷺ did not prohibit.

(2) Broadest meaning: Something that is established by any of the sources of Islamic Law and is considered a part of *Dīn*.

jurists intend the second meaning which denotes the act is in total opposition to the interests of Islamic Law and is an evil innovation.

As for the *hadīth*, "every innovation is misguidance", considering the above scholarly interpretations, we come to understand it having the following two meanings:

1. In the first meaning of innovation, the quoted *hadīth* is restricted to every "blameworthy" innovation or the term "every" could mean "many" to exclude praiseworthy, necessary and permissible innovations.
2. According to the second meaning of innovation, it applies to everything opposing the *Sunnah* and which has no basis in Law and "every" denotes literally every such innovation without restriction.

It is in the second meaning that the word *bid'ah* is used in texts of theology and doctrine e.g. when we say this doctrine is an innovation it means it is totally against sound Muslim belief and without any basis in Law.

1.4.1 Good Innovations of the Companions

Innovations, in the first meaning, have been established by the Companions. Regarding the *tarāwīh* congregation, Caliph Sayyidunā 'Umar ﷺ said "*It is a good innovation*" (*Muwatta' al-Imām Mālik*, p.70). Sayyidunā 'Abdullāh ibn 'Umar ﷺ described the morning *duhā* prayer, saying, "*It is an innovation and what a good innovation it is! Verily, it is one of the best things people have innovated*" (*Fath al-Bārī*, 3:62).

Some good innovations ought to be carried out continuously such as *tarāwīh* congregations because leaving them is deserving of admonishment.[28]

1.4.2 Fallacies Regarding Innovation

The following definition of innovation by opponents, "A religious matter that did not exist in the era of the Prophet ﷺ, Companions and their successors" is therefore erroneous. If this definition has any basis in any classical text, it is against the overwhelming majority and is not the legal meaning of the term but a self-manufactured one.

A person in doubt may ask, "If something is virtuous, why is there no trace of it in the past and why did the Prophet ﷺ not do it?" The response to this is that this question emerged in the era of the Companions in regards compiling the Holy Qur'ān, however, they all agreed to compile it and thus established a consensus on the principle that if an act is intrinsically good[29], regardless of the era it occurs in, it is considered praiseworthy and is not a blameworthy innovation.

All of the Companions agreed with Caliph Sayyidunā 'Umar ؓ when he desired for the Holy Qur'ān to be collated in book form during the Caliphate of Sayyidunā Abū Bakr al-Siddīq ؓ saying, "*By Allāh, this is good*" (Sahīh al-Bukhārī) even though the Noble Prophet ﷺ himself did not do this. It is known that the Companions, however, considered

28 Similarly, abandoning *wājib* innovations such as studying Arabic grammar is deserving of punishment and sin.

29 Compiling the Holy Qur'ān is virtuous by the judgement of sound intellect that it served the purpose of preserving people's faith.

other innovations to be evil, hence is this therefore not a clear testament from them that innovations are of two types?

In fact, the Prophetic statement, "*Whosoever introduces a good matter in Islām shall earn its reward and the reward of those who act on it*" also indicates that this division is accurate. The term "*sanna*" in this *hadīth* was interpreted as "*idbtada'a*" i.e. to innovate or introduce, by al-Nawawī in *Sharh Sahīh Muslim* (11:66), 'Alī al-Qārī in *Sharh al-Shifā'* (2:19) and Shah Abd al-Haq Dihlawī in *Ashi'at al-Lam'āt* (1:169). Altering its meaning to "*ahyā*" i.e. to revive, is a form of tampering because this meaning is neither supported by the language nor is this a usage of this word in the *Sharī'ah*. To say it means "*rawwaja*" i.e. to spread and propagate does not exclude introducing a good novelty, so this meaning does not benefit the opponent and is also legally and grammatically problematic.

1.4.3 Fallacy of Including the Companions and their Successors in the Definition of Innovation

Another error in the flawed definition is that it entails for something to be regarded an innovation only if the Companions and their Successors agree that the Messenger of Allāh ﷺ abandoned the act. Hence, if the Messenger of Allāh ﷺ did not do something, it would only be evil and *bid'ah* if the Companions and their Successors did not do it either. This means that if the Prophet ﷺ did not carry out an act, it is not enough to establish a legal ruling rather it is in need of the agreement of his Companions and Successors too; this is a blatant fallacy.

Similarly, everything that occurred in the era of the Companions is not declared praiseworthy and a *Sunnah* by default because the unjust martyrdom of the Caliph Sayyidunā 'Uthmān and Imām al-Husayn (may Allāh be pleased with both) occurred in that era and this was also the time when the Shi'ite and Kharijite sects emerged. According to the flawed definition, these deviant groups are excluded from the definition of *bid'ah* which is a pernicious fallacy. Therefore, it is correct to say that not every act or event in this era was praiseworthy, and that such acts or events fall within the meaning of reprehensible innovations and do not form part of *Sunnah*.

The flawed definition also opposes the narrations of the Companions that applied the term *bid'ah* to acts that did not occur in the era of the Noble Prophet ﷺ. Hence this definition opposes the sound statements of the Companions. For example, Sayyidunā Ibn 'Umar ؓ referred to the *duhā* prayer that Companions would pray as a *bid'ah* (*Sahīh Muslim, hadīth* no.3037) and said, "*It is a virtuous bid'ah*" (*Musannaf 'Abd al-Razzāq, hadīth* no.4868). Caliph Sayyidunā 'Umar ؓ termed the *tarāwīh* congregational prayer a good innovation (*Sahīh al-Bukhārī*) though it was prayed in the era of the Companions.

The flawed definition of the opponents falsely implies that all eras after the Successors (*tābi'ūn*) are purely evil and this is why their innovations are also blameworthy; this is palpably untrue. Many unconditional verses and *ahādīth* praise the *ummah*, the first of it and the last. For example, the Noble Prophet ﷺ said, "*From the latter of this ummah will be some like the first of them in enjoining good and forbidding evil...*" (Bayhaqi, *Dalail al-Nubuwwah*, 6:513) and "*Among the most intense in love with me from*

my ummah will be some people who will come after me that will yearn to settle their families and wealth in exchange to see me" (*Sahih Muslim*, no.7145).

Therefore, good acts can exist in any era and this is what the Companions agreed upon when compiling the Holy Qur'ān, forming an *ijma'* on this principle. Indeed, the Companions and Successors were in a time in which good was more common and prevalent and the era was more noble due to its closeness to the Best of Creation ﷺ but this does not become a basis for declaring everything that came to pass in their era a *Sunnah* nor does this cancel the possibility of virtue and goodness from later generations.

1.4.4 Meaning of Obedience to the Noble Prophet ﷺ

Following the Noble Prophet ﷺ means to obey his commands and abstain from his prohibitions. It does not mean, as the opponents fallaciously assert, "to abstain from everything he did not do". If something is not explicitly transmitted from the early Muslims, opponents declare it an evil innovation, whereas this itself actually opposes the *Sunnah*. Imām al-Taftāzānī mentioned in *Sharh al-Maqāsid* (5:280) "We do not agree that doing an act which the Prophet ﷺ did not do is opposing him ﷺ and departing from his obedience, because that is only possible where one commits something he ﷺ prohibited or abandons something he ﷺ ordered."[30]

30 What the Prophet ﷺ did not do is thus absent, either coincidently or deliberately but this is not known to us in most instances and this is why there is no requirement of obedience in acts that are not narrated from him ﷺ nor is there a requirement to leave them as it cannot be known how (deliberately or coincidently?) he left them. We are obliged to follow his *kaff 'an al-fi'l* i.e. deliberate abstinence from prohibitions not his *tark al-fi'l* leaving actions which may have been left unintentionally. Leaving an act deliberately without knowing if the Noble Prophet ﷺ left it deliberately is itself an

The erroneous argument that "if any innovated act was good, the Companions would not have left it" is rejected by the fact that the Successors innovated matters the Companions did not carry out and the Companions innovated matters the Noble Prophet ﷺ did not carry out. The absence of an act in these eras thus does not nullify the goodness of an act.

Ibn Hajar states in *Fath al-Bārī* (4:294) that any act whose evilness or virtuousness has not been mentioned in a verse of the Holy Qur'ān or *Sunnah* falls under the rule of indifference (*ibāhah*).[31]

The reality of the matter is that if it is proven that there was a motive for the Noble Prophet ﷺ to carry out the act without any hindrance in doing it, and yet he ﷺ abstained from it, only then is his abstinence an indicator of his dislike for the act. This would prove the act is disliked and we would obey him ﷺ in abstaining from it.[32]

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innovation the opponents commit. This was pointed out by Imām Ahmad Razā in *al-Mu'tamad* and *Hāshiyat Idhāqat al-Āthām*.

31 Unlike our opponents who claim it is *harām* and evil. A discussion on the indifferent (*mubāh*) is to follow.

32 See ft. 30.

SECOND PRINCIPLE

An act combining individually virtuous acts remains virtuous like its parts.

We know that a physical object made of several individual black pieces shall remain black even as a whole. However, the characteristic of two similar objects put together may change, for example, the individual pieces of string that make a rope are weaker than the whole – similarly, solitary reports (*khabar al-wāhid*)[33], which alone engender only probable knowledge when conjoined with other such narrations, form mass-narration (*tawātur*) and thus establish decisive knowledge.[34]

We therefore uphold that when two or more virtuous acts are put together the reward of the whole combination of acts is more virtuous than each of the individual acts on their own.

33 Such as when there is only one Companion narrating from the Noble Prophet ﷺ. These are also called lone-narrations.

34 Another example is a decisive *ijmā'* on a matter that results from the agreement of all *mujtahids* though individually each of them may only reach probability in regarding the matter (Bahr al-'Ulūm al-Lakhnawī, *Fawātih al-Rahamūt*).

However, in some combinations, evil and good shall remain as they are. For example, if a person is reciting the Holy Qur'ān he is rewarded for this even though he may wrongfully assault someone simultaneously for which he shall be sinful. His evil shall not render his good into evil.[35]

Also, Muslim scholars use parts of an object to determine a judgement regarding its whole. For example, theologians, such as Imām al-Taftāzānī in *Sharh al-'Aqā'id* (p.80-4) argue that because all parts of the universe are contingent, the whole of it is thus necessarily contingent. Similarly, the *Hanafī* jurist Ibn Amīr al-Hājj mentioned in *al-Halbah* (2:164) that invocations using beads is established in the *Sunnah*, thus it is allowed on beads with a thread through them. Imām al-Ghazālī said in his *Ihyā'* (2:297), "when permissible acts combine the whole is rendered permissible" and "when the individual parts are permissible, how can the whole be rendered impermissible?" (ibid).

2.1 Basis for this Principle in a Hadīth

The Noble Prophet ﷺ heard his Companion, Sayyidunā Bilāl رضي الله عنه, joining various verses from different Chapters of the Holy Qur'ān in a single recital and permitted his act when he ﷺ said, "*It is a beautiful speech. Allāh conjoins parts of it with the other*" (*Sunan Abū Dāwūd, hadīth* no.1330). The permissibility of creating *Panj-Surahs*[36] is inferred from this *hadīth*.

35 In *Hāshiyah Idhāqat al-Āthām* (p.295), Imām Ahmad Razā cites Ibn 'Ābidīn's *Radd al-Muhtār* (5: 366) who says that people should not stop attending the funeral procession to the place of burial because of the mixing of mourning women. The virtuous act must not be abandoned due to the evil rather the evil must be eliminated.

36 A compilation of five mostly read surahs in the week usually comprising the Chapters *Yāsīn, Mulk, Ramān, Wāqi'ah and Kahf.*

Sayyidunā Kathīr ibn Shihāb asked Caliph Sayyidunā 'Umar ﷺ whether eating cheese was permissible to which he replied "*Invoke Allāh's name on it and eat it for it is made from milk, water and colostrum.*" (*Sunan al-Bayhaqī*, 10:6)[37]

Reciting the Holy Qur'ān, making supplications for the living and deceased, speaking of the lofty rank of the Noble Prophet ﷺ, his blessed biography and miracles are all praiseworthy acts and for this reason, gatherings for *fātihah* and *mawlid* – that conjoin various good acts - are also virtuous acts (given they are free from reprehensible acts).

37 "*Laba*" in Arabic is the milk secreted from a cow for a few days after parturition that is high in protein and antibodies. It is also called "beestings".

THIRD PRINCIPLE

Indifference (*ibāhah*) is the default ruling for a matter unless established as being otherwise by sources of Law.

If there is no proof to prohibit or dislike a certain act, the act remains lawful and people have the choice (*takhyīr*) to engage in it or to leave it. This default permissibility is a prescribed law of Allāh Almighty. This is because Allāh Almighty says, "*He created all that is in the earth for you*" (Qur'ān 2:29). The particle *lām* (meaning "for") here denotes benefit which means all things are for our use and benefit unless proven to be harmful (Mullā 'Alī al-Qārī, *al-Mirqāt*, 6:11).[38]

Al-Hamawī asserts this verse establishes a favour upon the humans and derived *ibāhah* from it in *Ghamz al-'Uyūn* (1:223). In the commentary of the verse (Qur'ān 6:145),

> *"Say, "I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a dead animal or blood spilled*

38 See Imām Ahmad Razā's *Muneer al-'Ayn* (*Fatawa*, 5:120) for a detailed *usūlī* analysis of the rule of indifference particularly in the presence of weak and fabricated reports regarding acts of virtue.

out or the flesh of swine ..."

al-Nasafī (*Madārik al-Tanzīl*, 1:395) asserts, "There is a warning here that declaring something forbidden is only proven from Allāh's revelation and His Scared Law and not by one's whims".

The Messenger of Allāh ﷺ stated, "*Halāl has been made clear and Harām has been made clear*" (*Sahīh al-Bukhārī*) and in another narration, "*And what Allāh is silent about is pardoned.*" (*Sunan al-Tirmidhī*). Shaykh 'Abd al-Haqq al-Dihlawī asserts, "From this, is known the principle of indifference" (*Ashi'at al-Lam'āt*, 3:509). Muhibbullāh al-Bihārī advocated this in *Musallam al-Thubūt* (p.132) saying, "For whatever act there is a lack of legal text regarding its performance or abstinence, the individual has the legal proof to choose between the two. Religious indifference is only after the Sharī'ah has established".

There is no disagreement among the *Ash'arī* or *Māturīdī* scholars of *Usūl* regarding the *ibāhahi* of actions after the Sharī'ah was revealed though there is difference of opinion regarding the period before this (i.e. *fatrah*).

3.1 The Burden of Proof is on the Condemner

In legal rulings, caution is not in declaring matters *harām* or disliked when there is no proof either way; rather, caution is to leave those matters as being indifferent as they are by default (Ibn 'Ābidīn, *Radd al-Muhtār*, 5:296).

Harām and disliked rulings require particular proofs from the Holy

Qur'ān, *Sunnah* or Consensus (Mullā 'Alī al-Qārī). Acts without such proofs do not require an independent proof for their permissibility.

In the *Hanafī* school, leaving a *mustahabb* (recommended) act entails *makrūh tanzīhī* i.e. slight offence only if there is a primary proof for it, otherwise it shall be *khilāf al-awlā* i.e. against recommendation (Ibn 'Ābidīn, *Radd al-Muhtār*, 4:186). In *Fath al-Qadīr* (1:389), Imām Ibn al-Humām opined that praying two *rak'ahs* of *nafl* before the three *fard rak'ahs* of *Maghrib* is not recommended in the *Hanafī* school but it is not disliked either unless there is a proof for this. Imām al-Nawawī said in *Sharh Sahīh Muslim* (6:181): "The rule is that an act cannot be prohibited unless it is proven (to be prohibited)."

A new act that did not exist in the Prophet's ﷺ era in its existing form will be regarded as being "indifferent" (*mubāh*) unless its praiseworthiness or repulsiveness is proven in principle from the Holy Qur'ān, *Sunnah* or Consensus which will render it desirable, obligatory, disliked or forbidden.[39]

Considering the above, a person following the rule of *ibāhah* is following a proof, and the person forbidding an indifferent (*mubāh*) act is the one who must present an independent proof for prohibition.

Declaring matters forbidden or even disliked without proof is unacceptable and asking people who follow this rule to show proofs for the permissibility of a specific act is a fallacy. Also, the act of declaring something indifferent is not exclusively the task of a *mujtahid* as we shall discuss later.

39 Such as if it serves ones of the purposes of the Law or harms it. The purposes are five; preservation of religion, human self, intellect, lineage and wealth.

3.2 Indifference in Relation to Innovation

The opponents exclude "worldly matters" from the definition of *bid'ah* by restricting the term to "religious matters", advocating that worldly novelties are outside the definition of a legal *bid'ah*. Their purpose in doing this is to keep worldly novelties within the scope of permissibility and outside the scope of the narration which says all innovations are misguidance.

However, regarding *ibāhah* (indifference/permissibility) they claim that the default ruling upon acts that have not been declared lawful directly by the primary proofs is either prohibition or silence; though we have shown above that this is against the consensus of the scholars of the *Ahl al-Sunnah* ever since the revelation of the Sacred Law. In effect, the opponents have narrowed the scope of permissible worldly acts too because the default rule for novel acts is, in their view, prohibition - although they exclude worldly acts/matters from the scope of *bid'ah* they have now declared them *harām* by default! Thus, their restriction of *bid'ah* to only religious acts in the first place is pointless.

It has been explained under the definition of *bid'ah* that it does not automatically entail evilness to everything it relates to. Rather, any innovated act whose goodness or evilness is not known from the Scared Law is indifferent (*mubāh*) as mentioned by Imām Ibn Hajar above.

The truth is that Muslim jurists have applied the rule of *ibāhah* to hundreds of novel matters[40] and declared acts that did not exist in the

40 For example, uttering the intention before prayer, adorning the Holy Qur'ān, constructing minarets for mosques and authoring books etc. (see: *Idhāqat al-Āthām*).

early Muslim generations on its basis as virtuous when accompanied with a good intention.

Most of the acts that the opponents disagree upon with us can be resolved using this third principle and it can be used to answer the fallacy of those who question every act, asking "Where is proof for it in the Holy Qur'ān and *Sunnah*?".

FOURTH PRINCIPLE

Unconditional and general proofs from the Holy Qur'ān and *Sunnah* are applicable to novel cases in every era by way of generality.

There is consensus of all Muslim scholars on this principle from the time of the Companions, without an established difference of opinion, as mentioned by Muhibbullāh al-Bihārī in *Musallam al-Thubūt* (p.154) and its commentator Bahr al-'Ulūm 'Abd al-'Alī al-Lakhnawī.

For example, Caliph Sayyidunā 'Umar ﷺ used the general indication of the hadīth "*I am ordered to fight people until they recite there is no deity except Allāh*" as a proof against waging war on those who denied paying *zakāh* though there is no direct explicit mention of them in the text. The jurists have derived numerous laws using this principle.

4.1 First Discussion: Good Innovations by some Muslims

According to the scholars of *usūl al-fiqh*, the unconditional word

(*mutlaq*)[41] must refer to all of its particulars for it to be declared a *mutlaq*. If its application is restricted to only some of its particulars, it is no longer *mutlaq*. For this reason, the permissibility associated with the unconditional word shall extend to all of its particulars.

Likewise, a general word (*'ām*)[42] must refer to all of its particulars individually and not as one whole. For example, in *al-Mutawwal* (p.180), Imām al-Taftāzānī declared that according to the scholars of *nahw*, *usūl* and *tafsīr*, the article of definition (*lām*) that yields encompassment (*istighrāq*) cancels the wholeness (*jam'iyyah*) of a word and refers to each and every individual. "*Allāh loves the good doers*" (Qur'ān 3:134) and "*Allāh taught Adam all of the names*" (Qur'ān 2:31) both mean each one of them. "I shall not marry women" therefore, includes marrying even one woman.

Our opponents inaccurately stipulate otherwise. In their commentary of the narration, "*Whatever the Muslims consider virtuous is also virtuous with Allāh*" they stipulate that this would be true only if all Muslims considered something virtuous in their entirety. According to us, if there is no prohibition against it, an innovated act even by a single Muslim is, at the very least, indifferent.[43]

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41 For example, the word "man" is unconditional and refers to a man of any size or characteristic but the phrase "tall man" is conditional.

42 The word "men" is general and applies to all men without restriction and qualification of their characteristics.

43 Indifferent acts render desirability and are rewarded when carried out with a good intention. Some Companions innovated *duhā'* prayer and considered it virtuous after the martyrdom of Caliph Sayyidunā 'Uthmān ﷺ; Caliph Sayyidunā 'Umar, Sayyidunā Ibn 'Umar, and Sayyidunā Ibn Mas'ūd ﷺ added additional words to the *talbiyah* of the Prophet ﷺ; Sayyidunā Mu'āwiyah, Sayyidunā Imām al-Hasan and Sayyidunā Imām al-Husayn ﷺ would make *istilām* at the *'Irāqī* and *Shāmī* corners of the Ka'bah; Sayyidunā Ibn 'Umar ﷺ added the words "*barakātuhū*" in *tashahhud*; some Companions would send greetings on the Messenger ﷺ after they sneezed which are all acts of worship (*qurbah*) without explicit consensus. See *Idhāqat al-Āthām* and *Usūl al-Rashād* (pp.141-145) for detailed references. The

4.2 Second Discussion: Not Every Act Requires an Independent Explicit Primary Proof-Text

The ruling associated with the unconditional word applies to everything it incorporates. Anyone following the unconditional law in any of its specific subjects is not required to present a proof to declare its specific permissibility; rather, the burden of proof is on the one who declares that specific act as forbidden and not part of the unconditional context (*mutlaq*).

For example, the phrase "*dhikr and reverence of the Messenger* ﷺ" is unconditional and its virtue is obvious to every Muslim mind. It is desirable according to the Holy Qur'ān, *Sunnah* and consensus of the *ummah*. Therefore, every form *dhikr and reverence of the Messenger* ﷺ may take is desirable, including the *mawlid* and standing to invoke greetings on the Noble Prophet ﷺ. Asking for specific and explicit proofs for the *mawlid* and *qiyām* is therefore a fallacy and against the etiquette of debate and overlooking this principle. Similarly, reciting the Holy Qur'ān, greeting the Best of Creation ﷺ, charitable activities, repetition of *kalimah tayyibah* etc. are all unconditionally virtuous acts, so whatever form they take is also virtuous and requires no additional proof. The burden of proof lies on those who oppose these acts.

Demanding an exclusive and explicit proof for every specific act that falls under a general and unconditional virtue is a deceptive tactic intended to confuse the laity and to corrupt their understanding.

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unique *dhikr* methods of certain spiritual pathways are founded on this proof. These examples show that acts of *qurbah* are thus specifically and generally prescribed and seeking a specific (*khāss*) proof-text for every *qurbah* is ignorance (see: *Hāshiyah Idhāqat al-Āthām*).

4.3 Third Discussion: Carrying Out Acts at Specific Times and Forms Fulfils the Unconditional Command

Acts can only exist within time. Therefore, whenever an act that falls under an unconditional word (*mutlaq*) emerges, it is considered to be a fulfilment of the unconditional command. For example, we are ordered to remember Allāh Almighty and so whenever one remembers Allāh Almighty, he/she will be abiding by the unconditional command. Fixing a date or time to an act that is principally a virtue and is a form of the unconditional command therefore does not cancel its virtue nor its inclusion under the unconditional.

Similarly, repetition of that act does not cancel it either. The condition, however, is that one must not consider that time or repetition obligatory for that act.

Shaking hands is proven from general proofs on hand shaking in the *Sunnah*, hence separate proofs are not required to establish the permissibility of shaking hands, for example, after *Fajr* and *'Asr* prayers nor for repeatedly shaking hands, even though this is not proven specifically, it remains a permissible innovation (al-Nawawī, *al-Adhkār*, p.435).

Notwithstanding this, some scholars (Abū al-Sa'ūd) still refer to this specific act (shaking hands after *Fajr* and *'Asr* prayers) as *Sunnah* in the context that it falls under the general act of shaking hands. It can be *Sunnah* in the sense that it is established in the sources by way of generality and simultaneously be called a good innovation from the

perspective that such hand shaking did not occur in the Prophetic era. In *Ḥujjatullāh al-Bālighah*, Shāh Waliyyullāh al-Dihlawī extends this rule to shaking hands after *ʿĪd* prayer saying, "A legislated act remains legislated even after specification [of form]".

Selective reading of *du'ās* and invocations after certain prayers or during specific days of the year and times, conducting gatherings of remembrance and religious instruction on certain dates, fixing particular days for *fātiha* such as the *Gyārhwī* of Shaykh 'Abd al-Qādir al-Jīlī and Holy Qur'ān recitals for the reward to be conveyed to the deceased and feeding the poor are all acts that fall under general proofs in the Holy Qur'ān and *Sunnah* on the virtues of reciting Holy Qur'ān, supplicating for the deceased, admonishing people, feeding the needy and making *dhikr*. The condition, however, is not to believe that such acts in these times or forms are obligatory or that they are not beneficial in any other time or form.

4.4 Fourth Discussion: Absence of Prophetic Narration does not Make Acts that Fall Under Unconditional Words Evil

Firstly, some people consider the lack of a narration for an act from the Messenger of Allāh ﷺ a proof of prohibition and consider it stronger than the general and unconditional proofs on the permissibility of the act. On this basis, they may agree that the *mawlid* is proven from the generic and unqualified proof texts but is prohibited because of the absence of it in the Prophetic era. In reply to this, it has been shown above, in the definition of *bid'ah*, that the lack of narration or

action from the Prophet ﷺ does not in itself make an act evil and the Companions concurred on this when compiling the Holy Qur'ān.

Secondly, by upholding this opinion, the opponent opposes his own definition of innovation because the lack of action in the Prophetic era equates to evilness of the act in his eyes; rendering every novelty in the era of the Companions and their Successors as evil and sin! In effect, by applying the opponent's argument, the novelties of the Companions cannot be regarded virtuous and within the scope of *Sunnah* which makes their inclusion in the opponent's definition of *bid'ah* pointless.

Thirdly, if leaving everything the Noble Prophet ﷺ left is *Sunnah*, every person would earn a reward for every time they leave that act too, even unintentionally, whereas, this is clearly incorrect. For example, a person drinking alcohol or fornicating would be entitled to a multitude of rewards for leaving thousands of acts the Noble Prophet ﷺ did not do, even at the very moment he drinks and fornicates!

Fourthly, to equate "the lack of narration on a specific act" to "the Prophet ﷺ did not do that specific act" is a fallacy. One could only possibly claim this if he has exhaustively surveyed all *ahādīth* which is extremely unlikely today.[44] Imām Ibn al-Humām says in *Fath al-Qadīr* (1:20) "A lack of narration is not a proof for the absence of something".

Lastly, our opponents themselves apply the rule of generality to the *hadīth*, "*Every innovation is misguidance*" to declare all novelties as innovations. When they are asked, "Where is the explicit *hadīth* text to prohibit this specific act by name?" They are unable to present

44 See Imām Ahmad Razā's *Safā'ih al-Lujayn* on those who make such fallacious claims.

one due to their unconditional application of *bid'ah*; yet they reject matters the learned Imams have declared permissible from generic and unqualified proof-texts. They do not feel the need to present any specific proof of prohibition and admonishment regarding a specific act they consider *bid'ah*; yet require opinions of the Imams that are supported by numerous verses of the Holy Qur'ān and *aḥādīth* to have explicit and specific proofs in every minute matter. Is there an end to this bigotry and antagonism?

FIFTH PRINCIPLE

Virtuous acts do not in all instances become unacceptable by association of a repulsive act.

This is true unless the absence of the repulsive act itself is the condition for the virtuous act to be regarded as virtuous.[45]

For example, in *Radd al-Muhtār* (5:366), Imām Ibn 'Ābidīn cites Imām Ibn Hajr who advocates that a person should not abandon walking with a funeral procession due to mourning women present there.

If the jurists have differed upon whether an act is a *Sunnah* or a *bid'ah*, it may be declared virtuous and desirable such as the morning *duhā* prayer. Imām Qādī Khān (*Fatāwā*, 1:80) disallowed people from abandoning the *du'ā* for the completion of the Holy Qur'ān at the end of *tarāwīh* congregation despite scholarly disagreement.

In our era, the public have little interest in religious matters and thus

45 For example, A is only virtuous if B is not associated with it then B must be absent for A to be regarded as virtuous.

lack eagerness to verify matters and ask questions. As a result, when they do engage in a virtuous act, seldom do they perform it correctly. This does not mean that they should therefore be discouraged from performing the act altogether, rather, the interest of the religion (*maslahah*) is in favour of them continuing the act. Praying *nafl* before the *'Īd* prayer at home or at the place of congregation is disliked and termed an innovation yet al-Haskafī (*al-Durr*, 5:111) and Ibn al-Nujaym (*al-Bahr al-Rā'iq*, 2:280) assert "the commoners should not at all be prevented from the *takbīr* and praying *nafl* due to the lack of their eagerness in doing good deeds."[46]

46 A similar example is the position of Imām al-Nābulusī in *al-Hadīqah al-Nadiyyah* (2:150) who advocates people should not be discouraged from congregating in *nafl* prayers on *laylat al-qadr* due to their lack of interest in good acts. For numerous examples from *fiqh* texts see Imām Ahmad Razā's *Hāshiyah Idhāqat al-Āthām* (pp.277-286).

SIXTH PRINCIPLE

Resemblance with non-Muslims and deviant people is neither forbidden nor disbelief in every case.

Certain conditions must first be fulfilled for such judgements to be passed. Imitation of non-Muslims has different moral judgements:

1. If an intention of imitation is present, i.e. one intends to copy them in actions that are innovated by them, it is forbidden because of the rule "actions are judged according to their intents" (Ibn Nujaym, *al-Ashbah wa al-Nazai'r*).[47]

This is the literal meaning of the Prophet's saying ﷺ "*Whosoever imitates a community is from them*" (*Sunan Abū Dāwūd, hadīth* no.4031) as the word *tashabbuh* in Arabic denotes a deliberate intent to imitate. The reason for imitation does not have to be the same as theirs for it to be a sin.

Additionally, the act mentioned must have been innovated by non-

47 Similarly, if the act is a non-religious symbol of non-Muslims, it is forbidden to adopt even if there is no deliberate intention to imitate. This is called *luzūmī tashabbuh* (*Fatāwā Razawiyyah*, 10:91). The imitation mentioned in the main text is *iltizāmī tashabbuh*.

Muslims and therefore tying a turban is not forbidden as it was not innovated by Hindus.[48] Similarly, many non-Muslims fast, prostrate in worship and keep beards which do not render these acts forbidden in Islām. These similarities are by coincidence. Thus, we are not obliged to abandon our customs and ways even if the non-Muslims adopt them.

2. If the act is a religious symbol of non-Muslims, imitation is disbelief such as wearing their religious attire (Mullā 'Alī Qārī, *Sharh al-Fiqh al-Akbar*, p.496) regardless of one's own belief.[49]

If something is no longer a symbol of these communities, it shall render the act a *mubāh* innovation, such as the large cloak of the Jews called *taylasan* which is permissible to wear (Ibn Hajar, *Fath al-Bārī*, 10:310). The Muslims of Turkey wear trousers and shirts so it is not a symbol of non-Muslims there thus it is permissible for them but in India, it is a distinct attire of the British.[50]

Our Prophet ﷺ fasted on the tenth of Muharram like the Jews of the al-Madīnah al-Munawwarah and whilst keeping the same date as them, made a small change by adding a fast on the ninth too. Hence, the imitation is no longer absolute and forbidden imitation is only established where absolute similarity exists. Therefore, an act partially

48 Similarly, if the imitated act is blameworthy anyway such that it falls under a reprehensible innovation, it is forbidden (ibid) such as shaving the beard.

49 Like the Christian cross, unless one is coerced to or wears it to tactfully defeat the enemy in the battlefield or release Muslim captives from them, here the necessity overrides the imitation (*Fatāwā Razawiyyah*, 24:459; 10:91; Aal-e-Mustafa Misbāhī, *Asbāb e Sittah*, p.39). Such imitation of deviants is deviance and not *kufr*.

50 This was true in the author's era but now these are widely worn by Muslims in India and elsewhere. See Muftī Nizāmuddīn Misbāhī's *Fiqh Hanafī main Hālāt kī Ri'āyat* (p.519).

like an act of the non-Muslims does not justify a declaration of *harām* or *kufr*. Such misplaced judgements are blameworthy as they are insults to Muslims.

To place all similarities with non-Muslims under the rule of prohibition, even if they are coincidental or partially similar, is a fallacy.

SEVENTH PRINCIPLE

Affiliation with an honourable object makes the affiliated time and place esteemed.

It is for this reason that good deeds are more beneficial in blessed places and times. For example, the honour of the Two Holy Sanctuaries and multiplicity of reward in them is due to their connection with Allāh and His Beloved ﷺ. Likewise, the best of times in which virtuous acts had the greatest of rewards was the time of the Prophet ﷺ.

The Holy Qur'ānic verse (4:64),

> *"And We did not send any Noble Messenger except that he be obeyed by Allāh's command; and if they, when they have wronged their own souls, come humbly to you (O Beloved Messenger ﷺ) and seek forgiveness from Allāh, and the Noble Messenger intercedes for them, they will certainly find Allāh as the Most Acceptor of Repentance, the Most Merciful"*

informs us that visiting the Beloved Prophet ﷺ and seeking Allāh's forgiveness near him ﷺ has a greater likelihood of acceptance with

Allāh Almighty than supplicating elsewhere.

Friday is blessed for various reasons, one of which is the creation of Prophet Ādam ﷺ on it (*Sunan al-Nasa'ī, hadīth* no.1369). In his *tafsīr*, al-Rāzī (2:251) upholds that fasting was made obligatory in Ramadān due to the revelation of the Holy Qur'ān in it - a great sign of Divinity - which therefore entailed a great act of servanthood in the form of fasting. For this reason also, prayer is recommended near *Maqām Ibrāhīm* (Qur'ān 2:125), "as though one is standing in the presence of Prophet Ibrāhīm ﷺ and praying to Allāh" (Shāh 'Abdul 'Azīz Dihlawi, *Tafsīr 'Azīzī*).

Hastening between the mounts of *Safā* and *Marwā* is obligatory in *'umrah* and they are declared as Allāh's signs (*sha'ā'ir*) (Qur'ān 2:158) due to the blessings of Sayyidah Hājirah (Allāh be pleased with her) because this is where she gained close proximity with Allāh Almighty and her difficulty was eased (Shāh 'Abdul 'Azīz, *Tafsīr 'Azīzī*).

The scholars of *tafsīr* whilst commenting on the verse (Qur'ān 2:248) mentioned that the Banū Isrā'īl would seek blessings from the relics of Prophets Mūsā ﷺ and Hārūn ﷺ and help through them at times of war and were granted victory through the wooden chest (*Tābūt*) which contained them (*Ma'ālim al-Tanzīl*, 1:229).

The Noble Prophet ﷺ said regarding Monday, "*On this day I was born, and it is the day when I received [the first] revelation*" (*Sahīh al-Bukhārī*). The Companion, Sayyidunā Ibn 'Umar ؓ, would search out the places where the Messenger of Allāh ﷺ had prayed to pray there himself and seek his ﷺ blessings (Badr al-'Aynī, 'Umdat al-Qārī, 3:568).

Imām al-Nawawī in his commentary of the *hadīth* in *Sahīh Muslim* (1:244), that narrates that Sayyidunā 'Itbān ibn Mālik ﷺ requested the Messenger of Allāh ﷺ to come and pray at his home, says, "a lesson taken from this hadīth is to seek blessings from the relics of pious people and establishing prayer where they prayed".

One of the times for the acceptance of supplications is between mid-day and *'asr* on Wednesdays because our Noble Prophet's ﷺ supplication was accepted on this day, during the Battle of the Confederates (*Ahzāb*). The Companion Sayyidunā Jābir ﷺ would prefer this day to commence all important affairs (al-Bayhaqī, *Shu'ab al-Īmān*, 3:1420).

EIGHTH PRINCIPLE

Customary acts of the Muslims are praiseworthy.

Matters that have no explicitly direct rulings in the Holy Qur'ān and *Sunnah* are judged according to the customs of the Muslims as mentioned by Imām al-Marghīnānī in *al-Hidāyah* (3:63). This is called the principle of *'Urf*, *Tawāruth* and *Ta'āmul* all which mean "common practice".

Muslim custom is referred to as the "*way of the believers*" in the Holy Qur'ān (4:115). The Companion Sayyidunā 'Abdullah ibn Mas'ūd ﷺ is narrated to have said, "*Whatever Muslims consider a virtue is virtuous with Allāh*" (*Musnad Ahmad*).

For example, mentioning the names of the four Caliphs and the two uncles of Messenger of Allāh ﷺ, Sayyidunā Hamzah and Sayyidunā 'Abbās ﷺ, is preferred during the Friday sermon due to a long established practice, though it is not established from the first

three generations (Ibn 'Ābidīn, *Radd al-Muhtār* 5:42). Mujaddid al-Alf al-Thānī al-Sirhindī strongly emphasised this in his *Maktūbāt* (2:41). Likewise, reciting *Sūrah al-Fātihah* loudly for the fulfilment of needs after daily prayers is desirable due to the custom of Muslims though it is not proven from the early generations (al-Haskafī, *al-Durr*, 5:272). Al-Sakhāwī and al-Jazarī presented common practice of the Muslims as an evidence for the desirability of the *mawlid* (al-Sālihī, *Subul al-Hudā*, 1:362).

In the absence of legal proofs, people's customs become reliable proofs of permissibility, and this is why it is desirable for people to follow the manners of clothing and meeting of their community as long as there is no prohibitive proof against them, as stipulated by al-Ghazālī (*Ihyā'*, 2:331).[51] The basis for this is the *hadīth* cited by the latter that the Beloved Prophet ﷺ said, "*interact with people according to their norms*" (*Mustdrak al-Hakim*, no.5464).

It is on this principle that the jurists agreed on the legal maxim, "judgements are given according to the norms" (Ibn al-Nujaym, *Al-Ashbāh wa al-Nazā'ir*).

This principle has four rules:

Rule 1: A good custom of believers after the first three generations of Muslims is acceptable. The absence of the custom in the earlier period is not a proof against it. The cited narration of Ibn Mas'ud is absolute and unconditionally applies to all Muslims.[52]

51 Imām Ahmad Razā (*Fatāwā*, 3:573) mentions the purpose of following custom when it does not violate the proof-texts is to keep good relations (*mudārāt*) with people - an important objective of the Prophet of Islam ﷺ - and to avoid haughtiness and disdaining people as inferior.

52 See Imām Ahmad Razā's *al-Munā wa al-Durar* (*Fātāwā*, 20:599) for a comprehensive study of such customs and their acceptability.

Rule 2: An acceptable Muslim custom is valid even if it is not the custom of every Muslim country. An opposing opinion does not forbid a widely accepted custom in several cities or countries and is unpreferable (*marjūh*). On this basis, jurists permitted local selling and rental market customs in their cities and countries.

Rule 3: A widespread practice of Muslims is acceptable in acts of worship as well as in their dealings. The narration of Ibn Mas'ūd is general and includes whatsoever Muslims are accustomed to. The hadith "*follow the overwhelming majority*" (*Sunan Ibn Majah*, no.395) also includes acts of worship.[53]

Rule 4: A single reliable source suffices to prove that a widespread custom exists as it does to prove an existing probable *ijmā'*, as long as there is no stronger evidence opposing it.[54] Imam Al-Rāzī explained in *al-Mahsul* that an *ijmā'* transmitted from a single reliable source is also a probable evidence.

Therefore, to only accept customs of the earlier Muslims or those practised in all Muslim countries exclusively, whilst rejecting all other acceptable customs is an absurdity and such grounds are invalid against the celebration of the *mawlid*.

53 For the conditons and examples of accepting customs in acts of worship see Muftī Nizāmuddīn Misbāhī's *Fiqh Islamī ke Sāt Bunyādī Usūl* and *Majlis-e-Sharī' ke Fesle*.

54 This was also mentioned by Imām Ahmad Razā in *Hayāt al-Mawāt*. Sometimes consensus is claimed but there may be a valid scholarly difference on the matter.

NINTH PRINCIPLE

Unanimous Consensus of Muslim scholars on a matter is a decisive proof of law and a majority agreement (*jumhur*) is also a probable proof.

This is proven from the Holy Qur'ān (4:115) "*And who follows other than the path of the believers...*". The word "path" here applies to the opinions of the majority as well as the entirety.

The Noble Prophet ﷺ said, "*My community shall not concur on misguidance. So when you see dispute, you must follow the overwhelming majority (al-sawād al-a'ẓam)*" (*Sunan Ibn Mājah*, no.3950).

Al-sawād al-a'ẓam in this *hadīth* was explained by al-Tībī (*al-Kāshif*, 1:339) as "a large group". For this reason, this *hadīth* primarily applies to following the majority and by indication (*ishārah*) refers to following the unanimity. Also, the words "*when you see dispute*" indicate its purpose is to encourage following the majority, because when a dispute exists a unanimous agreement cannot exist. To interpret *al-sawād al-a'ẓam* here

as a "virtuous group" is fallacious just as it is to restrict it exclusively to unanimity and *ijmā'*.

Note, the larger number of deviant sects (72) – mentioned in some *ahādīth* - does not mean that the total quantity of people in those sects is greater than the *Ahl al-Sunnah* (al-Bihārī, *Musallam al-Thubūt*, p.502).

The majority agreement is commonly referred to as consensus (*ijmā'*), especially after the era of the Companions, and the statement "*all scholars agree*" thus means "most" of them. For example, the opponent upholds "there is *ijmā'* on the study and teaching of Arabic morphology and syntax" despite these disciplines emerging after the era of the Companions and a full survey of every juristic view was not carried out to reach this conclusion yet it is a correct assertion. Here the opponent implicitly agrees with the principle of the majority but rejects it where an interlocutor presents it as evidence against him.[55]

In matters of *fiqh*, a *mujtahid* must not follow the majority opinion but rather the conclusion his individual analysis leads him to, unlike in matters of creed. A matter in which most scholars concur and a weak difference exists is placed under "agreed upon matters" and not "validly disputed matters" because the opposing weak difference is disregarded altogether and *shadh* views do not affect the proof-value of the agreement of the scholars.

55 Like in the case of practising the *mawlid*, if the *ijma* of the majority is declared, the opponent would ask "how do you have knowledge that everyone agreed?".

TENTH PRINCIPLE

Deducing legal rulings is not restricted to the absolute *mujtahids*; many competent jurists below the rank of a *mujtahid* can deduce legal judgements from the Holy Qur'ān and *Sunnah* but with conditions.

Experienced and well-versed jurists can deduce rulings from:

1. General and unconditional verses of the Holy Qur'ān.
2. All explicit and clear verses (including *ẓāhir, nass, mufassar, muhkam*).

They are also allowed to infer rulings using the indicative method of *dalālat al-nass*[56] and can make an analogy using a pre-defined cause (*'illah mansūsah*).[57] Some can elucidate the unclear statements of *mujtahids* and

56 This involves applying a judgement from a Qur'ānic or *Sunnah* proof-text that linguistically indicates that the judgement would apply – in addition to the case in the text - to the case it is silent about because the cause of the judgement is shared between the case mentioned in the text and the new one to which it is applied.

57 Such as causes explicitly mentioned in the primary proof-texts or by the *mujtahids* which are also called *'illah mustanbatah.*

extract legal rulings for novelties using their hermeneutical *maddhab* principles. Imāms al-Tahtāwī and al-Sha'rānī expressed this in *Hāshiyat al-Durr* (1:5) and *al-Mīzān al-Kubrā* (1:4) respectively. Imām Ibn Kamāl Pāshā clearly ascribed these tasks to jurists ranking lower than the absolute *mujtahids* (Ibn 'Ābidīn, *Radd*, 1:245). For example, Imām al-Marghinani presents rational and transmitted proofs to *Hanafī* positions in law in *al-Hidayah* and no one has ever said, "so-and-so matter is not proven from a *mujtahid*, and Marghinani is not a *mujtahid* therefore his inference is also invalid".

The works of Shah Waliyullah Dihlawī and Shah Abd al-Aziz Dihlawī[58] are filled with inferences from the general and absolute primary proofs which the opponent does not object to. In fact, the opponents are known to commonly extract judgements and matters from translations of general and unconditional verses in their sermons and thus falsely claim "we don't need the understanding of classical scholars and jurists, we can understand the Qur'ān and *hadīth* ourselves"![59] They are excessive to the extent that they say, "every person can directly understand the Qur'ān and *hadīth*". Thus, they implicitly agree with this principle.

Why is the judgement of the *mawlid's* desirability inferred by Imām al-Suyūtī and Imām Ibn Hajar al-'Asqalānī from the Holy Qur'ān and *Sunnah* therefore invalid and unacceptable, according to the opponent, not least when neither Shah Waliyullah Dihlawi, Shah Abd al-Aziz

58 These are *sunnī* scholars that were revered by the so-called *ahl al-hadīth* and Deobandis of India. They are the grand teachers of the author.

59 They prefer their own understandings and interpretations over that of competent jurists and reliable scholars.

Dihlawi, Imām al-Suyūtī nor Ibn Hajar al-'Asqalānī are independent absolute *mujtahids*? Clearly, the opponent applies double standards.

Thus, to disregard the statements of learned scholars and jurists on the basis that they are not *mujtahids* is erroneous and to assert that an *ijmā'* can only occur by the *mujtahids* is fallacious.[60]

60 In *Idhāqat al-Āthām* (p.210-1), Muftī Naqī 'Alī argues that a probable *ijmā'* can occur on novel matters by non-absolute *mujtahids* - that do not require absolute *ijtihād* - and constitutes a legal proof that yields conjecture such as the consensus on rejoicing the *mawlid*. He cites (p.627) al-Lakhnawi's *Fawātih al-Rahamūt* on this principle.

ELEVENTH PRINCIPLE

An established custom of the scholars and public from the Two Holy Sanctuaries is also an acceptable proof and can establish a desirable (*mustahabb*) act.

This custom is acceptable if it does not contradict established doctrines in the religion or stronger proofs than it. Leaving such a custom without a reason is slightly offensive. Also, this does not imply that a person in those cities is infallible and is like the *mujtahids* nor is this custom a decisive proof or equivalent to *ijmā*.

For example, hiring a Holy Qur'ān teacher for his services was declared permissible by jurists due to the practise of the people of *al-Madīnah al-Munawwarah* (Qādī Khān, *Fatāwā*, 3:19). Visiting the graveyards on Friday before *Jumu'ah* is declared virtuous too due to the practise of the people of *al-Madīnah al-Munawwarah* ('Abdul Haqq al-Dihlawī, *Ashi'at al-Lam'āt*, 1:763). In fact, al-Nawawi (*Rawdat al-Talibin*, 1:378) went to the extent of accepting Arab norms, broadly, especially those of the

Quraysh in *halāl* and *harām* foods.

Without prohibitive proof, it is erroneous to consider the established customs of the people of *al-Madīnah al-Munawwarah* evil and blameworthy since many ahadīth describe their excellence. For example, the Messenger of Allāh ﷺ said, "*faith shall retreat to Madinah as a snake retreats to its hole*" (*Sahih Muslim*, no.374) and "*Madinah purifies people as the bellows eliminate the impurities of iron*" (*Sahih al-Bukhari*, no.1871)

It is far-fetched to consider the widely practised mawlid gatherings in the Two Holy Sanctuaries for centuries and generation after generation against the Holy Qur'an and *Sunnah*. Ibn Abd al-Wahhab al-Najdi vehemently attacked these Noble Cities with the army of King Saud and carried out atrocities that Yazīd had quit during his invasion.[61] Their acts cannot be ascribed to the people of the Two Holy cities.[62]

61 Such as the mass demolition of the cemeteries of the *salaf*. See Imām Ahmad Razā's *Ihlāk al-Wahhābiyyīn* for a rebuttal of the Wahhābi atrocities.

62 In sum, the Wahhābis are illegal invaders that shed the blood of the Turks and locals in the Holy lands and the virtues in the *ahādīth* regarding the people of the Sanctuaries do not apply to them nor are their customs desirable. They have since banned *mawlid* gatherings.

TWELFTH PRINCIPLE

A tacit consensus in which competent religious scholars perform an act or make a statement and the rest of the Muslims remain silent is also a legal proof.

If a group of competent jurists concur on a ruling, verbally or practically, and no opponent emerges in three days, this forms a probable consensus and is named *ijmā' sukūtī*[63] (Mullā Jīvan, *Nūr al-Anwār*, p.219). It is not required that the silence of every jurist be specifically known as mentioned in *al-Tahqīq Hāshiyah al-Hussāmī* (p.211).[64] The opponent must accept this principle, otherwise how can he include novelties and customs from the era of the Successors (*Tabi'ūn*) in the definition of sunnah, as he does? Wouldn't it be possible for there to

63 A valid consensus of the lowest degree is one which does not necessitate binding actions like obligatory acts yet permits an act.

64 Muftī Naqī 'Alī proves in *Idhāqat al-Āthām* (p.211) that when the the *mawlid* celebrations became well known during the era of the King Muzafer Abu Saeed of Erbil (d.1232CE), a probable tacit consensus was formed by jurists on its desirability. After this, Tāj al-Dīn 'Umar ibn 'Ali al-Fakihānī al-Mālikī (d.1334CE) was the first to disagree with the practice but because a consensus had already existed, his view does not counter its proof value.

exist an unknown opponent to any novelty in their era since it would be very difficult to survey everyone's opinions due to their geographical dissemination? And when this possibility exists, yet he still includes such acts under Sunnah, the opponent implicitly agrees with this rule.

THIRTEENTH PRINCIPLE

The agreement of a later generation of jurists ends the dispute of the previous generation as though it did not occur and the matter becomes unanimously agreed upon.

This is the position of Imām Abū Hanīfah and most of the Shāfi'ī and Hanafi jurists, as mentioned by al-Bihārī in *Musallam* (p.145). Such an *ijmā'* establishes absolutely essential doctrines of the Sunni Creed; the denial of any of which would take one out of the fold of the *Ahl al-Sunnah*.[65]

The Successors (*Tābi'ūn*), for example, agreed on the Prophet's ﷺ physical ascension to the Heavens and seeing Allāh Almighty with his eyes, hence the ostensibly conflicting statements of some Companions in this issue no longer constitute a valid proof against this doctrine. Similarly, the agreement on the prohibition of time bound marriages

65 This would not establish an absolute necessity of Islam whose denial constitutes disbelief. For the classification of beliefs and their proofs see Imām Ahmad Razā's *I'tiqad al-Ahbāb*, *Khālis al-I'tiqād* and *Muneer al-'Ayn*.

(*mut'ah*) and the doctrine of the listening of the deceased in their graves cancels the reliability of any previous difference.[66]

When differences which predate a scholarly agreement are ineffective, then one must accept that differences after a scholarly agreement has been reached are also invalid, especially if those differences have been rebutted and declared anomalous (*shadh*). Thus, presenting Fakihanī's anomalous position[67] on the *mawlid*, which was agreed upon before him, is either a bias of the opponent or his ignorance.

66 See Imām Ahmad Razā's *Hayāt al-Mawāt, Matla' al-Qamarayn* and *al-Zulāl al-Anqā* for discussions on such agreements.

67 See Ft.64.

FOURTEENTH PRINCIPLE

Persistence on a non-obligatory act is praiseworthy and desired in the law.

This is on the condition that such an act is not deemed obligatory otherwise it will be disliked.

The Prophet ﷺ said, "*The best of actions to Allāh are those that are consistent even if they are small*" (*Sahīh Muslim, hadīth* no.1830) and Imam Bukhārī named one of his chapters in his *Sahīh* "The most beloved act of piety (*dīn*) to Allāh is the persistent one". The Prophet ﷺ also said, "*the most virtuous acts of worship are those that are most difficult*" (al-Sakhāwī, *al-Maqāsid al-Hasanah*) and keeping up an act is surely difficult. Therefore, it is a great virtue to avoid missing any *tarāwīh* prayer during Ramadān despite it not being a *wājib*.

It is due to this the Noble Prophet ﷺ said, "*O Abdullah! Don't be like so-and-so, he used to stand at night in prayer and then he abandoned the night prayer*" (*Sahīh Muslim, hadīth* no.2733) encouraging him to keep up the night

vigil prayer.

The basis for this principle in the Holy Qur'ān (57:27) is Allāh Almighty's criticism of the Christians who themselves invented monasticism but then did not observe it fully.

Imam 'Ayni (*'Umdat al-Qārī*, 1:380) elaborated that a short continuous act bears much greater fruits and results than an excessive inconsistent one.

FIFTEENTH PRINCIPLE

Respecting the Noble Prophet ﷺ is an objective of Islamic Law, an obligation and is beloved to Allāh Almighty unconditionally.

This is proven from the Holy Qur'ān, Sunnah and Consensus and is a sign of *Imān*. The Holy Qur'ān declares:

> *"So they who have believed in him, honoured him, supported him and followed the light which was sent down with him - it is those who will be the successful."*
> *(7:157)*

> *"Indeed, We have sent you as a witness and a bearer of good tidings and a warner that you [people] may believe in Allāh and His Messenger and honour and respect him [the Prophet] and exalt Allāh morning and afternoon."*
> *(48:8-9)*

> *"O you who believe, do not put [yourselves] before Allāh and His Messenger but fear Allāh. Indeed, Allāh is Hearing and Knowing. O you who believe, do not raise your voices above the voice of the Prophet or be loud to him in speech like the loudness of some of you to others, lest your deeds become*

worthless while you perceive not. Indeed, those who lower their voices before the Messenger of Allāh - they are the ones whose hearts Allāh has tested for righteousness. For them is forgiveness and great reward." *(49:3)*

"O you who believe, say not (unto the Prophet): "Listen to us" but say "Look upon us," and listen. For the disbelievers is a painful punishment." *(2:104)*

Throughout the Holy Qur'ān, Allāh Almighty addressed the Beloved Prophet ﷺ with his lofty titles such as "*O thou folded in garments*", "*O the cloaked one*", "*O Prophet*", "*O Messenger*" etc. and does not address him ﷺ directly by his name whereas He addresses the other Prophets by name. Allāh Almighty mentioned in the Qur'ānic verse (33:56) that He and His angels send salutations upon him continually.[68] In its commentary, al-Qāḍī al-Bayḍāwī[69] said this means they are concerned with showing his nobility and extolling his rank and so should the believers.

Hadīth literature informs us that the Companions honoured him in many ways. They would sit in his blessed gatherings in blissful serenity, lowering their heads as though birds were sitting on them. After the verse "*Do not raise your voices over the voice of the Prophet*" was revealed they whispered to each other when they spoke! People were awestruck in his presence. Sometimes close Companions feared asking questions, so the Bedouins asked instead.

The *hadīth* of *Hudaybiyyah* in *Sahīh al-Bukhārī* (no.2731) informs us that

68 *Bukhārī* (no.910) cites Abū al-'Aliyah that Allāh's salutation comprises Him praising the Prophet ﷺ in front of the angels!

69 As do Imāms Qastalānī in *Irshād al-Sārī* and Ibn Hajar in *Fath al-Bārī*, both commentaries of *Sahīh al-Bukhārī*.

the Companions displayed immense love and respect for him ﷺ. When he ﷺ cleared his throat, they caught his blessed saliva in their palms and rubbed it on their faces and chests. When he ﷺ performed *wuḍū'*, they hastened and fought to collect his used water!

All these proofs relate to us the very many ways in which reverence and admiration of the Prophet ﷺ is observed in our religion even when there is no specific precedent - the *Sharī'ah* does not restrict his reverence to any form or manner.

SIXTEENTH PRINCIPLE

The purpose of honouring the Noble Prophet ﷺ is not restricted to his worldly life rather its obligation extends to every moment of time even after his passing away.

The Holy Qur'ānic and Sunnah proofs do not restrict honouring and respecting him to his blessed worldly life rather their generality requires this to be established in every era. Caliph Sayyidunā 'Umar ؓ told two men from *Tā'if* that were talking loudly in the Prophet's Mosque that had they lived in *al-Madīnah al-Munawwarah*, he would have punished them because they were raising their voices in the masjid of Allāh's Messenger ﷺ (*Sahīh al-Bukhārī*, no.470).

Imām Mālik ؓ ordered the ruler, Abū Ja'far al-'Abbāsī, to lower his voice in the Prophet's mosque because the necessity to respect the Prophet ﷺ after his passing away is the same as that in his life. He then ordered the ruler to face the Prophet ﷺ instead of the *qiblah* to perform *du'ā* whilst seeking his intercession because he ﷺ was the intercessor for the Prophet Ādam ؑ (*al-Qādī 'Iyād, al-Shifā'*, 2:26).

SEVENTEENTH PRINCIPLE

Respecting the Noble Prophet's name ﷺ, his utterance and remembrance is equally as obligatory as revering his person after his passing away.

Al-Qāḍī 'Iyāḍ mentions in *al-Shifā'* (2:26) that the early Muslims would hold their breath, humble themselves, stop their activities and calmly mention his blessed name as though they were present in front of him ﷺ. Also, it is obligatory to invoke blessings upon him ﷺ on hearing his blessed name at least once in the same gathering and desirable each time it is mentioned.

Imām Mālik would not mention a single *ḥadīth* without *wuḍū'*, many a times performing *ghusl*, putting on his turban, wearing expensive clothes and applying fragrance before doing so. Once he was stung sixteen times by a scorpion whilst teaching *ḥadīth* in a gathering yet he did not move out of respect for the Prophetic utterances (al-Qāḍī 'Iyāḍ, *al-Shifā'*, 2:29). When the Prophet ﷺ was mentioned in his presence,

his colour would change, and he would lower himself out of humility. When his companions would worry he would say, "If you knew what I knew you would not have any doubt [regarding my state]".

Once in a *dhikr* gathering in the 14th century, the erudite Imām al-Subkī and all of the major scholars immediately rose up in respect of the praise (*nā't*) as soon as they heard Imām Yahyā al-Sarsarī recite the following lines of poetry (al-Sālihī, *Subul al-Hudā*, 1:345):

"The nobles must rise when they hear his mention
Standing straight in rows or kneeling on their knees"

Likewise, respecting his Companions, Noble Family and relics is because of their affiliation with him.[70] Muslims must also respect his blessed masjid, his blessed resting place, his blessed clothes, his blessed sandals, his blessed hair or any place he ﷺ sat or touched for this reason.[71]

70 Imām Ahmad Razā mentions in *al-Mu'tamad al-Mustanad* that anyone who claims to love either of the two and despises the other is not true in his love because all of them are beloved due to their pivotal affiliation with the Noble Prophet ﷺ.

71 See Imam Ahmad Raza's *Badr al-Anwār Fi Adāb al-Athār* and *Shifa al-Walih fi Suwar al-Habeeb wa Mazarih wa Ni'alih* on proofs for respecting relics.

EIGHTEENTH PRINCIPLE

To honour, the object of respect is not required to be physically present.

The evidence for this is that we cannot see our Creator when we pray yet we are required to continue praying. An example from *fiqh* is that relieving oneself in the direction of the *qiblah* is disliked in the *Hanafī* School wherever one may be despite it not being visible, out of due respect (Ibn 'Ābidīn, *Radd al-Muhtār*, 2:433).

The body and flesh are not the reason why we love and respect the righteous people rather it is the meaning, namely, their attachment with Allāh Almighty. Hence respecting them does not revolve around them being physically present.

This is also why jurists declare it virtuous to imagine the Noble Prophet ﷺ when sending salutations upon him ﷺ (al-Khafājī, *Nasīm al-Riyād*, 4:483). Shah Abd al-Azīz Dihlawī (*Fatāwā*, 1:172) encouraged sitting facing the direction of *al-Madīnah al-Munawwarah* after *'Ishā* prayer

and reciting a hundred salutations whilst imagining the Prophet ﷺ for great spiritual grace. When reciting salutations, a person should try to imagine he is sitting humbly in a corner of the gathering of the Companions in the presence of the Noble Prophet ﷺ. This manner shall increase the blessings of his recital because he is displaying a greater consideration of respect despite he ﷺ not being there in person.

The *hadīth* "... *Worship Allāh as though you are seeing Him*" (*Sahih al-Bukhārī*, no.50) is a sufficient proof for this principle.

In *al-Mawāhib al-Ludunniyyah* (4: 850), al-Qastalānī added, "The visitor must present himself before the Prophet ﷺ and imagine he ﷺ knows him and hears his greeting as he would have in his worldly life because there is no difference between his life and passing away in seeing his nation and recognising their states, intentions and thoughts".[72]

The purpose and outcome of trying to imagine him ﷺ is that one shall acquire greater love, yearning and respect for him ﷺ even where he ﷺ is not physically visible.

Our Prophet ﷺ once mentioned how the soul shall leave the body of a non-Muslim and its bad smell, and as he ﷺ spoke he ﷺ took his cloth and covered his nose as one would do so in reality to express disgust (*Sahīh Muslim*, *hadīth* no.7221). This act was to illustrate that he ﷺ was imagining the smell. The purpose here is to understand that a person is allowed to sit with humility and calmness beholding the image of the Prophet of Allāh ﷺ in his mind and thinking of him ﷺ,

72 Imām Subki in *Shifā' al-Siqām* and Shah Abd al-Aziz Dehlawī in *Tafsīr 'Azīzī* made similar comments.

imagining that he ﷺ is actually in front of him.

This is called *tasawwur* and *mushāhadah* according to the people of *tasawwuf* and thinking of one's *shaykh* brings benefit which is known by repeated experience. Imām Al-Razi mentioned in his *Tafsīr* (6:443) that Prophet Yūsuf saw the image of his father Ya'qūb (upon both be peace) which saved him in a test.[73]

73 The image he saw is referred to as the "sign of his Lord" (Q12:24) in the *āyah*.

NINETEENTH PRINCIPLE

Unless the Law prohibits a certain manner of respect, it is unlawful to restrict expressions of respect towards the Noble Prophet ﷺ.

It is for this reason that all forms of respect towards him ﷺ are desirable and do not require a specific proof rather, opposing any particular form of respect requires a specific proof of prohibition. It has been cited above that the Companions exhibited their respect towards him ﷺ in many new and different ways without consulting with him ﷺ and without him ﷺ preventing them and so did their Successors and those after them like Imām Mālik ﷺ as detailed above. No one ever asked them "who showed this kind of respect before you? Which text is this act proven from? The Companions and Noble Family members had more love for the Prophet ﷺ than the whole world, if this act was permissible then why didn't they do this?" These thoughts are deplorable and were never asked by earlier Muslims regarding the respect of the Messenger of Allāh ﷺ. They are the outcomes of

prevalent stubbornness, discord and disbelief in our times.

This is why, *Hanafī* jurists such as Imām Ibn al-Humām (*Fath al-Qadīr*, 3:94) clearly assert "that which honours him ﷺ more greatly is more virtuous". However, it is disbelief to elevate the Prophet ﷺ to the point of calling him ﷺ Allāh or ascribing any of Allāh's unique attributes to him ﷺ (Ibn Hajar Haythamī, *al-Jawhar al-Munazzam*, p.12).

The rank of a student of knowledge seeking the Prophet's teachings ﷺ is such that the angels have been instructed by Allāh Almighty to spread their wings for him/her (*Sunan al-Tirmidhī, hadīth* no.2682) - then who can question the rank of the Messenger of Allāh ﷺ and come to know the degree of respect he ﷺ truly deserves?

TWENTIETH PRINCIPLE

Veneration and blasphemy must be understood in the context of people's customs.

Every community has its manners and gestures of showing respect and disrespect. Thus many legal rulings rest on this principle.

In a specific community, whatever is regarded as disrespect will be regarded disrespect in Islamic Law. For example, addressing someone older than oneself using the single first-person pronoun is disrespect in the Urdu language but not in Arabic.

One should not rebuke the customs of people without legal basis as one of the objectives of the Law is to strengthen the bond between people and unite them.[74] Allāh Almighty says (Q8:63), "*But Allāh did unite their hearts*". Concerning companionship, in his *Ihyā* (2:331) Imām al-Ghazālī asserts a person should enter happiness into people's hearts

74 Imām Ahmad Razā highlights this point in his *Fatāwā* asserting that keeping good relations with people overrides "observing *mustahabb* acts and leaving slightly offensive acts" that would otherwise distance people from each other and create discord.

by following their custom and avoid anything alien to them if it does not violate an established law.

Memorise these twenty principles so that they guide you in various discussions and protect you from misguidance.

All praise belongs to Allāh Almighty and blessings and peace be upon our Master Muhammad ﷺ, his Progeny and Companions.

Abridged & Annotated by Mohammad Monawwar Ateeq

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